

District III Advisory Board Minutes
April 2, 2008
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The District III Advisory Board meeting was held at 7 p.m. at the Wichita Water Center at 101 E Pawnee. Nine District Advisory Board members were in attendance; six City staff and 20 members of the public were present.

Members Present

Teresa Cook
Judy Dillard
Charlotte Foster
Jim Gulick
Joann Hartig
John Kemp
Georgia Lambke
Billie Tucker
Bill Ward
Council Member Jim Skelton

DeWayne Kitchen

Staff Present

Off. Justin Whyte, Patrol East
Shawn Mellies, Public Works
Steve King, Public Works
Kurt Schroeder, Office of Central Inspection
Janet Johnson, Neighborhood Services
Don Henry, Environmental Services

Guests

Listed on the last page

Members Absent

Paula Hearn

ORDER OF BUSINESS

At 7 p.m. **Council Member Skelton** called the meeting to order. The meeting minutes from March 5, 2008, were approved.

PUBLIC AGENDA

Scheduled items

No scheduled items.

Non-Scheduled items

No items.

STAFF REPORTS

Community Police Report

Officer Justin Whyte, Patrol East, Beat 34, reported that the Police Department, Park and Recreation and Dear Neighbor Ministries have partnered to sponsor a part-time day camp for kids in Hilltop this summer. The camp will run from 10 a.m. to noon Monday – Wednesday and they will have a swimming day on Thursday from 1 to 4 p.m. A 9-year-old from Jefferson Elementary won the “naming” contest and the name of the camp will be the Friendship Camp.

He also reported 1. There is a new CP Officer in Beat 32 – Officer Ann Mackey 2. Open garages are attracting burglars and need to be kept closed and secure 3. Patrol East has been addressing a parking complaint on Mt. Vernon – it is illegal to park on Mt. Vernon between GWB and Oliver,

per city ordinance 4. There was a drug bust in Hilltop that involved an explosive device; three arrests were made.

Action: Receive and file.

NEW BUSINESS

USD 259 Bond Issue CARE campaign

Gretchen Cox and John Jenkins, representatives from USD 259, presented an eight-minute video and a power point presentation on the bond issue. **Jenkins** said about one third of the proposed bond issue would fund fine arts and physical education and the remaining two thirds would fund academics. He also pointed out that a good deal of Federal and State money fund the school system. **Jenkins** said the mill levy for Wichita Public Schools is lower than the outlying school districts and that FEMA would pay around \$15 million of the cost of the proposed storm shelters. He also reviewed some achievement results and said that the District has made a lot of improvements since the first bond issue. **Jenkins** also compared Wichita schools' athletic facilities to those of schools such as Goddard; pointing out Goddard has state of the art facilities. He said a special election will be held on May 6th for the school bond issue.

Jesse Sheffield, 2526 Mosley, said he works at Stanley Elementary and when they have tornado drills the kids are all up against the wall in a hallway, and that the classrooms are over crowded. He also noted problems with the gyms and locker rooms at several schools. **Sheffield** said that children are the best investment in the world and they really need this bond issue to pass.

Bob Weeks, 2451 Regency Court, agreed it is terrible that not all of the schools have safe rooms, but pointed out it doesn't take a bond issue to build them; he said the capital budget could easily cover the safe rooms. He also said the overcrowding could be reduced by moving the boundaries. **Weeks** said he divided the school district's budget of \$544 million by the number of people living in the district, it came to \$1,749 per person per year; he said that much money is raised each year by taxation. **Weeks** also said the study done by Janet Harrah at WSU that said the bond issue is good for the community was incomplete because she didn't include how we came up with those dollars.

Dorothy Hodges, 3120 Brandywine, said she and her husband have always been for everything in the school, but now, she said they are trying just to live and they keep being taxed. She said a lot of senior citizens have to choose between paying for their medicine and food, and it's not that they don't want to pay for the schools, they just can't afford to. She said it's time someone started thinking about the senior citizens.

Jon Todd, 1559 Payne, said the comparison that Jenkins made to the cost of the bond issue being equivalent to a gallon of gas was not correct. He also said that thanks to the Sedgwick County Appraiser, people on a fixed income are being taxed to death. **Todd** said that commercial properties and being taxed at an even higher rate, and they pass those costs on to their customers. He said the school video depicted some gouged plaster at Dodge Elementary – a \$50 maintenance issue – and if the schools were good stewards, it would have already been taken care of. **Todd** said tax payers have no way of knowing if they are getting their money's worth from the school system.

John Stevens, 3125 E. Boston, read a prepared statement against the bond issue. He said spending \$350 million won't solve out problems, but that picking a new superintendent will make a difference. As a member of the City's Park Board, Stevens said he is often challenged with

providing facilities for Wichita citizens, and he wanted to know if the 56 tennis courts and the Olympic-sized pools being proposed as a part of the bond issue would be made available to the general public.

Georgia Lambke told Jenkins she appreciated the fact that the Wichita school team won at the athletic event in Goddard, even though the kids from there had the fancy facilities.

Jim Gulick reminded everyone that just because part of the money comes from the State and the Federal government, it doesn't mean it's free. "It came out of your pocket," he said.

Charlotte Foster asked if the bond issue fails, couldn't the school district build some of the projects with its existing funding, possibly one a year? **Jenkins** said if the bond fails, they would go back and take a look at that.

Bill Ward asked if the bond passes, will the old bond be rolled into the new one and refinanced? **Jenkins** said he wasn't sure how that works.

Council Member Skelton wanted to know what the outstanding balance is on the old bonds. **Jenkins** said he didn't know.

Action: Provide comment.

Petition to pave Valley Forge, between New Jersey and 31st St S., to pave New Jersey, between the existing pavement and Valley Forge and to pave Brandywine, between the existing pavement and cul-de-sac, just north of 31st St S

Shawn Mellies, Public Works Engineering, presented information on this petition. The signatures on the petition represent 21 of 40 (53%) resident owners and 39% of the improvement district area. The project will provide paved access to a developed residential area. Estimated project cost is \$340,000 with \$293,678 assessed to the improvement district and \$46,321 paid by the City. The petition will go to the City Council on May 6.

Vic Walsberg, 5017 New Jersey, said he has been trying to get his street paved for 30 years and now that they are finally doing the paving, they are leaving him off and only doing part of the project. He said if his street isn't paved, he doesn't want to be assessed for it. **Mellies** explained this property is a side street assessment.

Gary Hefley, P.O. Box 771163, said he owns two lots at 31st and Oliver and he will have to pay for half of the cost of the paving. He said he's been trying to get the street declared abandoned and he doesn't want to pay for a street he doesn't need. He said his properties should be zoned light commercial and he doesn't need the street and doesn't want it. He also said the City is making him pay for two cut-ins that he doesn't need.

Dorothy Hodges, 3120 Brandywine, said Brandywine was closed off at 31st because someone wanted to build a business there, and that is never going to happen and the people who live on Brandywine shouldn't have to continue to suffer with the dust from the dirt street.

Mellies responded to **Hefley** stating the City doesn't require the cut-ins; they just include it in the cost estimate so the property owner will know what the cost is, in case they do want them.

Charlotte Foster said she knows someone who lives in the area and it's very hard to navigate the dirt streets and deep ditches. She said the person she knows wants the paving. **Mellies** said the ditches will still be there, even after the paving.

Judy Dillard said she seemed to recall that when the street was made a cul-de-sac that a safety issue was raised and she asked for clarification from Hodges. **Hodges** said yes, safety was one of the reasons they used to accomplish it, but to her knowledge there was never a traffic accident at that location.

Dillard (Foster) moved that the DAB recommend approval of the paving petition.

The motion passed 9-0.

Action: Recommended City Council approve the paving petition.

Neighborhood Nuisance Enforcement Code Amendments Chapter 8.01 of the Code of the City of Wichita

Kurt Schroeder, Superintendent of the Office of Central Inspection, reviewed the recommended amendments to three sections of the City Code. Over the past several months, OCI staff has worked closely with Law, Environmental Services, Police and Municipal Court staff to review pertinent City Codes, processes and procedures, and to develop recommended ordinance amendments. The amended ordinances will also facilitate more effective neighborhood code enforcement.

Changes to Chapter 8.01 of the Code Chapter 8.01 amendments are necessary in order to:

- delineate new and/or revised code enforcement responsibilities (and authority) for the Office of Central Inspection;
- clarify or add definitions required to ensure legally defensible and effective enforcement of the Office of Central Inspection's new or revised neighborhood code responsibilities;
- set forth minimum required property owner and/or tenant notice procedures and content for new or revised Office of Central Inspection code enforcement duties; and
- specify private property abatement procedures and appeal (hearing) processes to be used by the Office of Central Inspection in enforcement of new or revised code enforcement responsibilities.

Proposed Title 8.01 amendments **not** required by the transfer of services include: (1) higher *maximum* Municipal Court fines; and (2) imposition of required *minimum* Municipal Court fines for repeat offenders. The maximum allowed fine would be increased from \$500 to \$1,000. Escalating minimum fines for repeat offenders found guilty in Municipal Court more than once within any three-year period would be required, as follows:

- upon a first conviction, a fine of not more than one thousand dollars;
- upon a second conviction, a fine of not less than one hundred dollars nor more than one thousand dollars;
- upon a third or subsequent conviction, a fine of not less than two hundred fifty dollars nor more than one thousand dollars.

The proposed Chapter 8.01 fine schedules are similar to those adopted in December 2006 for the Minimum Housing Code (Title 20.04) as part of the StopBlight Program (although maximum and minimum fine levels proposed for Chapter 8.01 are lower).

The change in the Graffiti Ordinance (Chapter 5.37 of the Code of the City of Wichita) eliminates the highly specific format and wording of the required notice to property owners. The amended ordinance will allow the Office of Central Inspection to revise the required notice to be more friendly, informative and useful to notice recipients.

The proposed creation of Section 11.52.035 clarifies authority of OCI inspectors (in addition to law enforcement officers) to issue notices and/or citations for certain parking violations, as currently outlined in existing City Code Sections 11.52.020(4) and 11.52.030, including:

- Parking of vehicles on or across public sidewalk areas; and
- Illegal parking of vehicles in front yards and street side yards, and/or on un-surfaced areas (per Unified Zoning Code requirements)

Elena Ingle, 3608 Meadowlark, said she had heard rumblings of discontent between City Departments and wanted to know how things are going. **Schroeder** said it's already vastly improved and he has been in meetings with Police and Environmental Services and everyone is working together well. He said the merger has given them a lot of opportunities to improve the process. **Schroeder** pointed out they haven't entered the tall, grass and weeds season yet, but they are working on their nuisance abatement process and have multiple companies bidding, so that makes the price go down.

Larry Manny, 1116 Alturas, said that Leonard Fox, the inspector in his area is doing a good job, but that he's only one guy and OCI is understaffed. **Manny** said at the last South City Neighborhood Association meeting, the Chief of Police said Officers would also be enforcing no parking on the grass issues, but that still wouldn't be enough. He said he would encourage the next City Manager to recommend to City Council more money in the budget for additional inspectors. **Schroeder** said some time will be saved with the merger, so only one inspector is going to a property, instead of two inspectors, and it will save on drive time.

Jesse Sheffield, 2526 S. Mosley, had a question about the Neighbor to Neighbor program. **Schroeder** said they are planning on having another session soon and South City will be included.

Jim Gulick wanted to know if the escalating fines in Chapter 8 are per person or per property. **Schroeder** clarified that they are per person, but only if the person is found guilty.

Gulick also wanted to know why someone should be ticketed for parking in an area where a sidewalk should be, but isn't. **Schroeder** said his staff doesn't enforce that, and that Chapter 11 is part of the traffic code which belongs to the Police Department, so OCI didn't re-write the entire Chapter.

Billie Tucker said Inspector Keith Hall is doing a good job in Hilltop.

Joann Hartig said she regularly monitors Environmental Court and it's often difficult to get a guilty verdict or desired resolution to cases. She said some commercial properties let their weeds grow and are more than happy for the City to mow their property. **Schroeder** said they have had housing cases where repeat offenders have been fined anywhere from \$6000 to \$8000, but that if

the case gets dismissed or found not guilty, then that incident doesn't count toward the escalating fines.

Georgia Lambke wanted to know if renters move out and leave bulky waste behind in the yard, can the landlords be held accountable? **Schroeder** said yes. **Lambke** wanted to know how long she can expect to look at the blue couch that was left in the yard across the street from her house. **Schroeder** said they are now sending a 30-day notice on items like this, but that if it is a garbage issue or something that would pose a health threat, then they shorten the compliance date.

Action: Provide comment.

BOARD AGENDA

Updates, Issues and Reports

Council Member Skelton had received an inquiry regarding the status of the Biscayne Apartments at 1422 E. Wassall, which had received support from the City for tax credits last year. He shared the response from Mary Kay Vaughn, Director of Housing and Community Services: The Council adopted a resolution of support on April 3, 2007, but the project did not receive tax credits from the State. She went on to explain: "the public often thinks it is the city who issues the tax credits. The truth is, the City approves a resolution of support – the State then considers applications from developers and decides who will get the credits. Every resolution the Council approves does not result in tax credits being issued. And when they are not, the developers often abandon or postpone their redevelopment plans."

Council Member Skelton also reported that he needed a community volunteer to sit on the Advisory Council for the Mayor's Youth Council. **Janet Johnson** explained that the group will meet quarterly and will provide input on issues that the Youth Council needs direction on; will assist in the fundraising efforts and be willing to attend events held by the Youth Council. **Council Member Skelton** needs a volunteer by April 7.

Billie Tucker reported they have had two recent cleanups in Hilltop – both which were very successful, and one of the properties that the neighborhood is recommending for condemnation is to go before the City Council on April 7. **Tucker** also said he is very proud of the work going on in Hilltop where citizens, City staff, Dear Neighbor Ministries and the Hilltop Urban church are all working together for the good of the community. **Council Member Skelton** said he appreciates what Billie and the Steering Committee are doing in Hilltop.

Joann Hartig said the burned out house in her neighborhood is getting ready to be condemned.

Judy Dillard reported she had heard on the news that thieves are now stealing gas from vehicles by drilling a hole.

Council Member Skelton announced the ground-breaking on the new fire station should occur within the next couple of months. **Georgia Lambke** asked if the conference room would be included. **CM Skelton** said no, the lot isn't large enough to accommodate it.

Jesse Sheffield, 2526 S. Mosley, asked what was occurring at the nearby trailer park. **CM Skelton** said they were granted a one-year renewal on their license and they have removed several homes

and still have another one to remove. He said they will be putting up a screening fence and they have already made a number of improvements.

Action: Receive and file.

Adjournment

Meeting was adjourned.

The next regularly scheduled meeting for District Advisory Board III will be held at 7 p.m., May 7, 2008, at the Water Center at 101 E. Pawnee.

Respectfully submitted,

Janet Johnson,
Neighborhood Assistant – District III

Guests

Bill Barnes	2707 S. Hillside
Goldie Barnes	2707 S. Hillside
Elena Ingle	3608 Meadowlark
Larry Manny	1116 Alturas
Kathy Manny	1116 Alturas
Dorothy Hodges	3120 Brandywine
James Hodges	3120 Brandywine
Claudia Lee	2826 Greenwood
Donna Thornton	2714 Southfork
John Stevens	3125 E. Boston
Vic Walsberg	5017 New Jersey
Gary Hefley	P.O. Box 771163
Tom Strickland	1302 Galena
Betty Strickland	1302 Galena
John Jenkins	1500 N. Armour
Jesse Sheffield	2526 S. Mosley
Mike Sheffield	2526 S. Mosley
Gretchen Cox	USD 259
Bob Weeks	2451 Regency Ct.
Jon Todd	1559 Payne